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FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Written statement submitted by the Refugee Policy Group, a non-governmental organization in consultative status (category II)

The Secretary-General has received the following written statement, which is distributed in accordance with Economic and Social Council resolution 1296 (XLIV).

[2 February 1993]

Internally displaced persons

1. The absence of a focal point within the United Nations system for the protection of internally displaced persons makes it essential that the Commission on Human Rights take steps to enhance security for those displaced within the borders of their own countries. We commend the Commission for taking the significant step of requesting the Secretary-General to designate a Representative to prepare a study on the human rights dimension of internal displacement. The study, prepared by Ambassador Francis Deng, points out that there are more than 24 million persons in the world internally displaced because of civil war, ethnic strife, forced resettlement and other serious violations of human rights, but that there is no international system in place to assist and protect them.

2. The Refugee Policy Group believes that the greater involvement of the Commission on Human Rights will increase protection for internally displaced persons and reinforce the efforts of humanitarian organizations that provide relief and assistance. There are many steps the Commission should take to promote and protect the human rights of the displaced. To begin with, the Commission should authorize the Representative of the Secretary-General systematically to collect information about serious cases of internal displacement, monitor protection needs, and issue reports recommending actions that could be taken to enhance protection. The Representative has already begun to fulfil this important function with his first report.

3. It would also be valuable if the Representative of the Secretary-General could engage in dialogue and intercessions with Governments and non-governmental entities to seek to resolve through negotiation the protection problems of those internally displaced.

4. The mandate of the Representative should also enable him to bring serious cases to the attention of the Secretary-General and through him to the Security Council when appropriate. In his annual report on the work of the Organization in 1992, United Nations Secretary-General Boutros Boutros-Ghali suggested that ways be explored for "empowering the Secretary-General and expert human rights bodies to bring massive violations of human rights to the attention of the Security Council together with recommendations for action."

5. Because internal displacement is both a human rights and a humanitarian issue, the Representative's mandate should further aim to advance more effective communications and cooperation between human rights and humanitarian agencies involved in the provision of relief and assistance to ensure that protection needs are adequately addressed.

6. Finally, a relationship should be authorized between the Representative and regional human rights bodies, in particular, the Inter-American Commission on Human Rights, the African Commission on Human and People's Rights, and the Conference on Security and Cooperation in Europe so that joint undertakings to enhance protection for the internally displaced can be encouraged.

7. To assist the work of the Representative, the stationing of human rights monitors in the field, as has been done in the case of the former Yugoslavia, should be given serious consideration.

8. Attention further should be paid to developing a legal foundation to enhance protection for those caught up in refugee-like situations within their own countries. As recommended by the Representative, a compilation should be drawn up of existing human rights and humanitarian norms applicable to the internally displaced. This would help to clarify the international norms relevant to the internally displaced and identify which new standards and instruments might be needed to provide better protection. For example, gaps

in existing human rights and humanitarian law that need to be addressed concern forcible displacements, humanitarian assistance and access, the right to food, and protection for relief workers.

9. We consider it critical that the Commission on Human Rights assume a greater role in promoting and protecting the human rights of internally displaced persons. Closer cooperation between the human rights and humanitarian fields can lead to the establishment of a more effective international system - one that addresses protection as well as assistance and provides increased security for internally displaced persons.